

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7445

BILL NUMBER: HB 1385

NOTE PREPARED: Feb 8, 2005

BILL AMENDED:

SUBJECT: High School Diplomas and Benefits for Veterans.

FIRST AUTHOR: Rep. Murphy

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides a \$150,000 death benefit for a member of the National Guard or a reserve component who dies while on military duty outside the United States beginning September 11, 2001. The bill appropriates an amount sufficient for the death benefit.

The bill establishes the Veterans' Affairs Trust Fund to finance certain benefits and services to eligible veterans and to fund veteran-related projects authorized by the Veterans' Affairs Commission. It funds the Trust Fund by: (1) taxpayer designation of all or part of a state Income Tax refund; (2) a quarterly allocation of 0.5% of the surplus revenue in the Administrative Trust Fund; (3) donations; and (4) appropriations or other amounts provided for the fund. The bill provides that benefits available to eligible veterans from the fund include: (1) tuition reimbursement; (2) temporary emergency aid grants for subsistence and health care; (3) personal loans; (4) an assistance program for veterans in need of services; (5) retraining grants; (6) allocations to the state armory board for use by the Military Department Ceremonial Unit in rendering appropriate military honors at state functions and veteran funeral services; (7) grants to veterans' associations, veterans' organizations, and memorial corporations; and (8) grants to county service officers to improve services to veterans.

The bill also requires the Department of Veteran's Affairs to establish a program to reimburse a resident Medal of Honor awardee for participating in patriotic and other official events. It also appropriates an amount sufficient to reimburse medal of honor awardees.

The bill also provides that a veteran of the Korean Conflict who left a public or nonpublic high school without graduating in order to perform military service is entitled to receive a high school diploma.

Effective Date: July 1, 2005.

Explanation of State Expenditures: *Veterans' Affairs Trust Fund:* This bill creates the Veterans' Affairs Trust Fund for the purpose of (1) financing the education, economic assistance, and other benefits and services that the state provides to veterans, and (2) funding various veteran-related projects.

The Director of Veterans' Affairs is responsible for administering the fund. The fund consists of the following: (1) refunds, (2) allocations, (3) appropriations made by the General Assembly, (4) donations, (5) interest, (6) money transferred to the Fund from other funds, and (7) money from any other source. The expenses of administering the Fund shall be paid from the Fund.

The Fund provides (1) tuition reimbursement, (2) temporary emergency aid grants for subsistence and health care, (3) personal loans, (4) an assistance program for veterans in need of services, (5) retraining grants, (6) allocations to the State Armory Board, (7) grants to veterans' associations, veterans' organizations, and memorial corporations, and (8) grants to county service officers to improve services to veterans. Expenditures from the Fund will depend in large part on the rules adopted by the Commission on Veterans' Affairs.

Increased Administrative Duties: The bill requires the Director of Veterans' Affairs to (a) administer the Veterans' Affairs Trust Fund, and (b) establish a program and set guidelines under which a Medal of Honor awardee who is a resident of Indiana may receive compensation when called upon to attend and participate in official ceremonies within Indiana. The Director would likely experience an increase in administrative duties as a result.

Adoption of Rules by the Commission on Veterans' Affairs: The bill requires the Commission on Veterans' Affairs to adopt rules pertaining to the administration of the Veterans' Affairs Trust Fund. Any expenditures associated with the adoption of rules can likely be covered within existing levels of appropriations.

State Armory Board Funds: The bill allows the Commission on Veterans' Affairs to allocate money in the Veterans' Affairs Trust Fund to the State Armory Board for use by the Military Department of Indiana Ceremonial Unit in rendering appropriate military honors at state functions and funeral services for those who served in the armed forces.

Veterans' Affairs Check-Off: The bill allows a person to designate on the individual's annual state Income Tax return that all or part of a refund to which the individual is entitled be paid to the Veterans' Affairs Trust Fund. The Department of State Revenue (DOR) would incur some administrative expenses relating to the revision of tax forms, instructions, and computer programs to incorporate the tax refund check-off for the Veterans' Affairs Trust Fund. The bill also requires the DOR to include a written description of the purposes and uses of the Fund in the instructions for the individual income tax return. The check-off would begin in tax year 2006. The expenses relating to these changes presumably could be absorbed given the DOR's existing budget and resources.

Lottery Profits Transfer: The bill requires the Lottery Commission to make a quarterly transfer of 0.5% of the surplus Lottery revenue in the Administrative Trust Fund (an estimated \$825,000 annually) to the Veterans' Affairs Trust Fund beginning in FY 2006. The quarterly transfer to the Fund would be made before transfers required under current statute to the Teachers' Retirement Fund and the Pension Relief Fund.

This transfer of surplus Lottery revenue will also have a secondary impact, creating a shift of \$825,000

annually in Riverboat Wagering Tax revenue from the Property Tax Replacement Fund (PTRF) to the Build Indiana Fund (BIF). This would occur as the reduction of surplus Lottery revenue distributed to the BIF would be replaced (under the current funding formula for BIF) with Riverboat Wagering Tax revenue. The table below presents projected distributions of surplus Lottery and Gaming revenue in FY 2006 given the Lottery transfer proposed in the bill.

Surplus Lottery and Gaming Revenue & Distributions (Millions)*

Revenues & Distributions	FY 2003 (Actual)	FY 2004 (Actual)	FY 2005 (Projected)	FY 2006 (Projected)
Beginning Balance in BIF	24.5	(0.9)	6.3	0.0
Surplus Lottery Revenue in Adm. Trust Fund	168.7	198.5	165.0	165.0
Veterans' Affairs Transfer	0.0	0.0	0.0	(0.825)
TRF Transfer	(30.0)	(30.0)	(30.0)	(30.0)
PRF Transfer	(30.0)	(30.0)	(30.0)	(30.0)
Surplus Lottery Revenue to BIF	108.7	138.5	105.0	104.2
Surplus Gaming Revenue to BIF	141.3	111.4	145.0	145.8
Interest	0.9	0.0	0.0	0.0
Transfers to BIF**	134.9	0.0	0.0	0.0
Total Resources in BIF^	410.3	249.1	256.3	250.0
MVETRA Transfer	(236.2)	(236.2)	(236.2)	(236.2)
PTRF Transfer^^	(175.0)	0.0	0.0	0.0
Total Transfers	(411.2)	(236.2)	(236.2)	(236.2)
Amount Available for State & Local Capital Projects	0.0	12.9	20.1	13.8
Amount Allotted to State & Local Capital Projects^^	0.0	6.6		
<p>*Updated 9/24/04. **Transfers into BIF totaling \$131.8 M from the state General Fund for Motor Vehicle Excise Tax Replacement; \$3.0 M from the State Fair; and \$100,000 from loan repayments. ^FY 2004 individual resources do not sum to the total resources amount due to rounding. ^^Transfer required under 2001-03 Biennial Budget (P.L. 291-2001). ^^Actual totals in FY 2003 and FY 2004.</p>				

Background Information on Lottery Profits Transfer: Under current statute, surplus Lottery revenue in the Lottery Commission's Administrative Trust Fund is first transferred to the Teachers' Retirement Fund (TRF) and the Pension Relief Fund (PRF). Once these transfers are made, the remaining surplus Lottery revenue is distributed to the Build Indiana Fund (BIF). Assuming surplus Lottery revenue will total \$165 M in FY 2006, the 0.5% transfer to the Veterans' Affairs Trust Fund is estimated to total \$825,000, before existing transfers to TRF and PRF. However, this transfer would reduce the projected distribution to BIF by \$825,000, from \$105 M to about \$104.2 M.

Current statute also requires distribution of revenue from the Riverboat Wagering Tax, the Pari-mutuel Wagering Tax, the Pari-mutuel Satellite Facility Tax, the Charity Gaming Excise Tax, and the Charity Gaming

License Fee to BIF. The total annual distribution to BIF from Lottery, gaming, and pari-mutuel sources is effectively capped at \$250 M. This is because the annual distribution of Riverboat Wagering Tax revenue is limited to an amount equal to \$250 M minus the sum of the surplus Lottery revenue and revenue from other gaming and pari-mutuel taxes distributed to BIF during that fiscal year. The required amount of Riverboat Wagering Tax is transferred to BIF from the Property Tax Replacement Fund at the end of the fiscal year. Under this formula, an \$825,000 reduction in the annual distribution of surplus Lottery revenue to BIF will result in an \$825,000 increase in the transfer of Riverboat Wagering Tax revenue to BIF from the PTRF (assuming the projected totals for other gaming and pari-mutuel taxes).

Special Death Benefit: The bill requires \$150,000 be paid to the relative of a member of the Indiana National Guard or a reserve component of the Indiana National Guard or armed forces of the United States, who is a resident of Indiana. The person must have died after September 10, 2001, while on a day of military duty. There are no data available to indicate how many persons would fall under the requirements of this provision.

The bill requires an amount be appropriated to the Adjutant General from the state General Fund to provide special death benefit payments. The amount of the appropriation is not specified.

The bill requires the Adjutant General to adopt rules to administer the special death benefit payments. Any expenditures for the adoption of rules are anticipated to be within the levels of existing appropriations.

Medal of Honor Awardee Compensation: The bill appropriates money from the state General Fund to establish a program under which a Medal of Honor awardee who is a resident of Indiana may receive compensation when called upon to attend and participate in official ceremonies within Indiana. The bill does not specify an appropriation amount.

High School Diplomas for Korean Conflict Veterans: The bill allows the state to award eligible veterans, who fought in the Korean Conflict, with a high school diploma if they (a) attended a public or nonpublic high school in Indiana, (b) were in good standing, (c) did not graduate or receive a diploma because of leaving the high school for the military service, and (d) were honorably discharged from the armed forces. Under current law, World War I and II veterans are eligible for this program.

Under the bill, the Department of Education would incur expenditures to produce additional diplomas for Korean and Vietnam Veterans, and the Department of Veterans' Affairs would incur additional administrative responsibility to verify the eligibility of veterans from the Korean Conflict. The fiscal impact to state expenditures is currently indeterminable.

Estimation Issues: The Department of Veterans' Affairs reports that there are approximately 78,700 Korean Conflict veterans residing in the state. Assuming that all officers had a high school diploma and would not be eligible for this program, the number would be reduced. It is estimated that 7,870 officers that served in these conflicts are living in Indiana today. Removing the officers would reduce the number to 70,830. It should be noted that this number may be reduced further by persons already eligible for the program that fought in WW I and II.

According to data from the 1970-71 to 1974-75 school years, the average dropout rate for Indiana high school students during this time period was approximately 20.4%. (State dropout data for all years of the Vietnam conflict and the Korean conflict are not available.) Assuming that this rate applies to all Vietnam and Korean War veterans, 14,449 veterans would remain. However, other conditions, including leaving high school to join

the Armed Forces of the United States, may not have been met by some of the remaining number of veterans, which would further reduce the eligible number.

There could be additional veterans living out of state that left an Indiana high school to enter the Vietnam or Korean conflicts that may qualify. There may also be veterans living in Indiana that attended an out-of-state high school.

Diploma Cost: The total cost to produce a veterans diploma under P.L. 127-2002 is approximately \$2.79. Since the passage of P.L. 127-2002, the Department of Education and Department of Veterans' Affairs has approved approximately 300 applications, with further approvals pending. The total cost for producing 300 diplomas based on the per cost estimate above would be about \$837.

Background Information: Under P.L. 127-2002, World War I and World War II veterans that dropped out of high school in order to enlist in the Armed Forces of the United States are eligible to be awarded an honorary high school diploma.

The Indiana War Memorials Commission reports that approximately 130,400 Hoosiers served in World War I. Approximately 400,000 Hoosiers served in World War II. The number of Hoosiers killed in action (KIA) are as follows: World War I - 3,350; World War II - 13,000.

It is estimated that approximately 89,000 World War I and World War II veterans live in Indiana today. The vast majority of these veterans are from World War II. The percentage of those living veterans that have been awarded a diploma under current law is approximately 0.25%.

Explanation of State Revenues: *Veterans' Affairs Check-Off:* The bill establishes a check-off for income tax refunds to be designated to the Veterans' Affairs Trust Fund. The check-off applies beginning in tax year 2006. Thus, the Fund could potentially receive tax refund money for the first time in FY 2007. The number of taxpayers with refunds that may select the Veterans' Affairs Trust Fund check-off and the amounts such taxpayers may direct to the check-off is indeterminable. However, it could potentially reduce the amount that would otherwise be designated by taxpayers for the Indiana Nongame and Endangered Wildlife Fund. This is the only income tax refund check-off that exists under current statute. The check-off for the Nongame and Endangered Wildlife Fund generated \$407,162 from 33,107 filers in tax year 2002. This is an average of \$12.30 per filer selecting the check-off.

Explanation of Local Expenditures: *County Service Officers:* The bill allows a county to annually apply for a grant to improve services for veterans. If a county obtains a grant, the county service officer may experience an increase in administrative duties.

High School Diploma Ceremonies: If a school corporation holds a veteran diploma ceremony, the school corporation could incur additional costs, unless the ceremony were held concurrent with other school activities such as commencement.

Explanation of Local Revenues:

State Agencies Affected: Department of State Revenue; Department of Veteran's Affairs; Bureau of Motor Vehicles; Department of Education.

Local Agencies Affected: County Service Officers; School Corporations.

Information Sources: Jim Kaiser, Department of Veterans' Affairs; OFMA Income Tax database, 2002; Bob Lain, State Budget Agency, (317) 232-3471.

Fiscal Analyst: Sarah Brooks, 317-232-9559.